

Domestic Abuse Policy

HR Policy

HROD

October 2019



MANCHESTER
CITY COUNCIL

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Document Control

Date effective from	October 2019	Owner	HR Policy, HROD
Approval Date	16 October 2019	Approval By	Personnel Committee
Review date	Three years from the date of approval (or earlier where there is a change in the applicable law)		

Introduction

- 1.1** The Council is committed to ensuring the health, wellbeing and safety of its employees. Any employee who experiences domestic abuse should be able to raise the issue at work, without fear of stigmatisation or victimisation. Employees should be appropriately supported within the workplace and guided to access any advice and specialist services they may need.
- 1.2** The Council recognises that domestic abuse occurs in every social class and across all age groups, regardless of gender, sexuality, disability, race or religion.
- 1.3** The Council's commitment here extends to assisting employees who may need to provide support to a family member or close friend who is experiencing such abuse.
- 1.4** The Council believes that all forms of domestic abuse are unacceptable and is committed to providing a safe and secure working environment for all employees.
- 1.5** This policy adopts the same principles as Manchester's 'Delivering Differently' Domestic Violence and Abuse Strategy, which aims to reduce the number of incidents of domestic abuse in Manchester by 2020 and increase the safety of those experiencing domestic abuse.
- 1.6** The Council is committed to ensuring that all employees, not just those experiencing domestic abuse, are aware of its position in this area, including the implications for employees who are perpetrators of domestic abuse.
- 1.7** This policy is supported by detailed guidance.

Scope

- 2.1** This policy covers employees of Manchester City Council, excluding staff directly employed by schools.

Aims

- 3.1** Through the application of this policy and the associated supporting guidance the Council aims to:
 - Ensure that all employees who ask for help in addressing domestic abuse issues are able to access appropriate advice and support.
 - Ensure that all managers can access guidance on how to support and assist employees asking for help in relation to domestic abuse and are aware of how to support and advise employees who may be perpetrators of domestic abuse.
 - Provide confidence to employees seeking assistance that their situation will be handled sympathetically and confidentially.
 - Reduce absence from work resulting from domestic abuse and have a positive impact on employees' mental and physical health and wellbeing. This includes staff who are supporting family members with domestic abuse.

Legal Obligations

4.1 The Council understands that all of its employees have the right to feel safe within their working environment. The Council recognises its legal responsibilities in promoting the health, safety and well-being of its employees in line with the:

- Health and Safety at Work Act 1974
- Serious Crime Act 2015
- Human Rights Act 1998
- Local Government Act 2000
- Crime and Disorder Act 1998
- Domestic Violence, Crime and Victims Act 2004.

Definition of Domestic Abuse

5.1 The Council adopts the definition of domestic abuse outlined by the Home Office which makes clear that domestic abuse relates to any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- physical
- emotional
- psychological
- sexual
- financial

This definition includes honour-based abuse, female genital mutilation and forced marriage, and is clear that victims are not confined to one gender, religion or ethnic group.

What constitutes domestic abuse is commonly misunderstood, and it is important to remember that no single act defines it; there are a wide range of activities and behaviours that amount to domestic abuse which are often dangerous and can be life-threatening.

Some examples of these are:

5.2 Controlling behaviour

This is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

5.3 Coercive behaviour

This is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

5.4 Harassment

This is a crime involving behaviour that takes place more than once, and the perpetrator's actions must have an unwanted effect on the victim.

Under the Protection from Harassment Act 1997, it is an offence for a person to pursue a course of conduct that amounts to harassment of another person, and that they know (or ought to know) amounts to harassment. The Act defines harassment and states: "References to harassing a person include alarming the person or causing the person distress." A 'course of conduct' in the case of harassment of a single person must involve conduct on at least two occasions.

5.5 Stalking

There is no specific legal definition of stalking. However, it is helpful to know that in cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

Support for Employees who are Experiencing Domestic Abuse

6.1 The Council will provide support to employees who are or have experienced domestic abuse or who are supporting a friend or family member who has experienced domestic abuse. Those providing support should address the issue sympathetically ensuring that the employee is aware that support and assistance is available where requested.

6.2 The Council will endeavour to create an environment which supports disclosure and reassures employees that they will be listened to and supported. Those supporting employees should also be aware that, typically, an individual who is experiencing domestic abuse will experience abuse for a considerable time before feeling able to disclose this to someone.

6.3 Managers are expected to signpost and encourage employees to access the sources of support available to them. These may include: access to the Employee Assistance Programme, access to counselling, referral to appropriate domestic abuse services and discussing any safeguarding concerns.

Other support options that will be considered on a case by case basis are:

- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser.
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including Flexible Working.

6.4 The Council recognises that employees may need to take time off from work to make arrangements or attend relevant appointments, including attending medical appointments and counselling; attending legal proceedings and arranging housing or childcare. Where appropriate, managers should support the use of paid special leave in line with the Council's Special Leave Policy.

6.5 Employees should be provided time during work to contact any support service they require. Please see the Managers Checklist for further information.

- 6.6** All advice, information and support will remain confidential. No information or documentation will be disclosed without the express consent of the employee unless there is an immediate child protection or vulnerable adult safeguarding concern, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary.
- 6.7** In cases where the employee has expressed a safeguarding concern or where the incident may impact their job role or responsibilities, the HR Casework team must be informed.
- 6.8** If you are concerned that the employee is at risk of significant harm from Domestic Abuse, then the [Manchester Domestic Abuse Advice and Referral Form](#) should be completed and sent to communitysafety@manchester.gov.uk. This will be screened and uploaded for consideration at the Multi Agency Risk Assessment Conference (MARAC).
- 6.9** In cases where a safeguarding concern has been identified or an incident of Domestic abuse with the employee may conflict with their job role or responsibilities, the HR Casework team must be informed.
- 6.10** For further information on the support available, please see the Domestic Abuse Guidance and the contact information sheet.

Perpetrators of Domestic Abuse

- 7.1** The Council will treat all employees who disclose committing domestic abuse sensitively and fairly. Advice should be sought from the HR Casework Team in all circumstances.
- 7.2** Domestic abuse is in contravention of the Employee Code of Conduct and may be subject to disciplinary action, which if proved may lead to dismissal. Where a perpetrator makes a disclosure of committing domestic abuse, a risk assessment must be completed, taking into account:
- The nature of the disclosure;
 - Job role – the impact of the employee’s actions on their duties and responsibilities;
 - Any safeguarding issues that arise;
 - The employee’s work location;
 - The impact on the victim or his/her dependents; and
 - Whether the employee has voluntarily sought help to deal with the issue.
- 7.3** Employees who disclose having committed domestic abuse will be offered advice and support regarding appropriate services available. Please see the contact information for full details.
- 7.4** All employees should be aware that domestic abuse is a serious matter that could also lead to criminal convictions.
- 7.5** In cases where both the victim and the perpetrator of domestic abuse work in the organisation, advice should be sought from the HR Casework team immediately and the appropriate action will be taken.

7.6 All advice, information and support provided by managers and the HR Casework team will remain confidential. No information or documentation will be disclosed without the express consent of the employee unless there is an immediate child protection or vulnerable adult safeguarding concern, in which case a referral to the appropriate child or adult safeguarding hub of the relevant borough may be necessary or unless a disciplinary process has been initiated, in which information will be shared in line with the disciplinary policy.

Domestic Abuse Managers Checklist

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Checklist for Managers

This checklist should be used when an instance of domestic abuse has been reported to you. This may be used as a tool to monitor the instances of domestic abuse and the support measures you put in place. The checklist can be used in future meetings with your employee to assess whether the measures are sufficient or if further support is required. You must ensure that you listen and respond in a sensitive and non-judgmental manner.

Confidentiality

Agree with the employee who should be informed, this may include other service managers, security and other colleagues. All information must be kept in strict confidence (subject to the requirements of child protection or a vulnerable adult safeguarding concern where a safeguarding referral must be made (see below) or where there is a risk of death or serious injury where the HR Casework team must be informed immediately)	
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Complete in all circumstances

Signpost, and encourage the employee to seek help and advice from specialist Domestic Abuse agencies. Details can be provided in the Useful Contact Information.	
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Consider if a temporary or permanent change to work location is required. If a permanent change is required please seek further advice from the HR Casework team.	
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Consider if a temporary or permanent change to job roles and responsibilities is required. If a permanent change is required please seek further advice from the HR Casework team.	
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Consider whether there are children or vulnerable adults at risk living in the household. If this is the case then a referral must be made to the child or adults safeguarding hub for the borough where your employee resides. You can find this information by accessing the boroughs individual website.	
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Discuss all actions you are taking with the employee and explain the reasons for them.	
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If the Employee is experiencing Domestic Abuse

Discuss with the employee whether there is any risk to their safety at home and or at work.	
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Should there be a risk to the safety of the employee at work, a description of the perpetrator should be shared with security.	
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If there are concerns about the safety of the employee or any immediate family members at home, complete the Manchester Domestic Abuse Advice and Referral Form and send to communitysafety@manchester.gov.uk . The HR Casework Team should also be informed for further guidance.	
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If there are any concerns about the employee's safety at work, you must contact Health and Safety or 0161 234 1897 so a risk assessment can be undertaken and actions put in place to minimise risks to the employee.	
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With consent from the employee, inform colleagues they should not divulge information of the employees work appointments, locations etc, as this may compromise their safety.	
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Record any incidents of harassment or unwanted contacts at work through the Council's Violent Incident Report Form (includes verbal and physical).	
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Consider a review of car parking and travel arrangements for the employee where relevant.	
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If Employee is the Perpetrator of Domestic Abuse

Contact the HR Casework team so they can discuss the incident and advise on what steps to follow. This may lead to disciplinary action.

Domestic Abuse Services Contact Information

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Domestic Abuse Service Available to Victims of Domestic Abuse

Name	Description of Service	Contact Information
Advisory Services		
National Domestic Violence Helpline	The Helpline can give support, help and information over the telephone, wherever the caller might be in the country . The Helpline is staffed 24 hours a day by fully trained female helpline support workers and volunteers. All calls are completely confidential. Translation facilities for callers whose first language is not English, and a service for callers who are deaf or hard of hearing are available.	www.nationaldomesticabusehelpline.org.uk 0808 2000 247 (24 hours)
Independent Domestic Violence Advice Service (IDVA)	IDVA services are located in every local authority area and typically provide specialist professional advice, information and housing related support and safety planning to survivors of domestic violence and abuse. Their advice and support is based on a thorough understanding and assessment of risk to the victim and their family.	For employees living in Greater Manchester access is via the Women's Domestic Abuse Helpline, 0161 636 7525 or via End the Fear at www.endthefear.co.uk For information about IDVA services in other areas the National Domestic Abuse Helpline 0808 2000 247 will be able to assist
Women's Domestic Abuse Helpline, Independent Choices	Independent Choices provides the Domestic Abuse Helpline for Greater Manchester . The Helpline is confidential and callers do not have to give their name. The Domestic Abuse Helpline is a safe space for victims to talk through what is going on at the moment and give them the options that are available to them. Independent Choices can also assist with information and support available for employees who live in other local authority areas outside Greater Manchester The service also offers a Community Helpline Language Service that provides advice and support in Urdu and Punjabi, and access to a dedicated Independent Domestic Violence Advice Service service for lesbian, gay, bisexual, and transgender+ people who are experiencing domestic abuse	www.domesticabusehelpline.co.uk 0161 636 7525 Monday to Friday 10am – 4 pm excluding bank holidays
End the Fear	Provides online information, advice and support for anyone experiencing, or supporting someone who is experiencing Domestic Violence and Abuse in any borough within Greater Manchester . This includes dedicated pages that offer advice, help and support to young people.	www.endthefear.co.uk
Greater Manchester Victims Services	Advice, support and signposting to specialist services for anyone in Greater Manchester who has been a victim of crime, anti-social behaviour or exploitation	www.gmvictims.org.uk 0161 200 1950 Monday to Friday 8am - 8pm Saturdays 9am -5pm. The support line is closed on Sundays and bank holidays.

St Mary's Sexual Assault Referral Centre	Provides advice, support and services for anyone who has been raped or sexually assaulted	www.stmaryscentre.org 0161 276 6515 (24 hours)
Galop	National service that provides advice and information to people who identify as LGBT+ and are experiencing domestic abuse	www.galop.org.uk 0800 999 5428 Monday and Tuesday 10am – 5pm Wednesday and Thursday 10am – 8pm Friday 10am – 5pm Tuesday 1pm – 5pm - trans specific service. Online chat: Wednesday and Thursday 5pm - 8pm
The Forced Marriage Unit at the Foreign and Commonwealth Office	National service providing help, support and advice for people who are being (or have been) forced or coerced into a marriage.	020 7008 0151 Monday to Friday 9am - 5pm
Men's Advice line	National service providing a confidential helpline for men experiencing domestic violence from a partner or ex-partner (or from other family members). They offer emotional support, practical advice and signposting to other specialist services	www.mensadvice.org.uk 0808 801 0327. Monday to Friday 9am - 5pm
Samaritans	National service providing confidential emotional support to anyone in emotional distress, struggling to cope or at risk of suicide, anywhere in the UK	www.samaritans.org freephone 116 123 (24 hours)
Survivors UK	National service providing advice and support for men affected by sexual abuse	www.survivorsuk.org 0845 122 1201 Monday to Friday 9.30am - 5pm

Accommodation Services

The following services relate to residents within the city of Manchester.

Homelessness Service	For emergency accommodation in Manchester	0161 234 4692 Monday to Friday 9am - 4.30pm Out of Hours - 0161 234 5001 (after 4.30pm)
Manchester Women's Aid	Provides safe and confidential temporary accommodation and a range of other support services	www.pankhursttrust.org 0161 660 7999 Monday to Friday 9.30am - 4.30pm
Saheli Asian Women's Refuge	Saheli Asian Women's Project provides temporary accommodation, advice, information and support services to Asian women and their children fleeing domestic abuse and/or forced marriages and is based in Manchester.	www.saheli.org.uk 0161 945 4187 Monday to Friday 9am - 5.00pm

For information about similar services in other local authority areas the Women's Domestic Violence Helpline (0161 636 7525) or the National Helpline (0808 2000 247) will be able to advise on what is available and how to

access it. These helplines can also offer support in finding suitable refuge space in other local authority areas where none is available in the employee's own area or where it is not safe to be accommodated in that area, even in an emergency.

Police

Police	If you are a victim of, or witness to Domestic Violence and Abuse, or have concerns regarding a victim of Domestic Violence and Abuse, there are several ways you can report this.	If you find yourself in a situation where you are in immediate danger, phone 999 Otherwise ring the Police on 101 or visit the website of your local police force for further information
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Services Available to Perpetrators of Domestic Abuse

End the Fear	Provides online information and signposting for people in any borough of Greater Manchester who are concerned about their behaviour towards their partner and its impact on them and/ or their children	www.endthefear.co.uk
Respect	The Respect Phonenumber is a confidential, national helpline, email and webchat service for perpetrators of domestic violence looking for help to stop. They help male and female perpetrators, in heterosexual or same-sex relationships. Partners or ex-partners of perpetrators, as well as concerned friends and family members and Frontline Workers are also welcome to contact them for information, advice and support.	www.respect.uk.net 0808 802 4040 Monday to Friday 9am - 5pm
Bridging to Change Domestic Violence Prevention Programme	Bridging to Change is a Respect accredited self-referral programme for men in Manchester who have been violent and/or abusive towards their intimate female partners and who wish to address and change their abusive behaviour. An integrated support service, with women workers, is offered to partners or ex-partners of men on the programme.	www.talklistenchange.org.uk 0161 872 1100 Monday to Thursday 9am - 9pm Friday 9am - 1pm 5.30pm - 9pm